

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 07 1995

Returned to applicant for correction.....

Corrected application filed..... Map filed..... JAN 8, 1996 Proposed POD  
POU

The applicant New York-New York Hotel Limited Liability Corporation

Post Office Box 95997

Las Vegas

Street and No. or P.O. Box No.

City or Town

Nevada 89193

State and Zip Code No.

hereby make.... application for permission to change the

point of diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 60156

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is an underground source (Las Vegas Artesian Basin)  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.10 cfs (5.5 mga)  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Quasi-Municipal (Resort)  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Quasi-Municipal (Resort)  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SE1/4 SE1/4, Section 20, T21S, R61E, M.D.M. or a point from which the SE corner of said Section 20  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
bears S 14°17'34" E, a distance of 715.82 feet.
6. The existing permitted point of diversion is located within SE1/4 SE1/4, Section 20, T21S, R61E, M.D.M. or a point from which the SE corner of said Section 20  
If point of diversion is not changed, do not answer.  
bears S 63°21'10" E, at a distance of 1386.00 feet.
7. Proposed place of use S1/2 SE1/4 SE1/4, Section 20, T21S, R61E, and portion of the N1/2 SE1/4 SE1/4, Section 20, T21S, R61E, M.D.M., Clark County, Nevada  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use S1/2 SE1/4 SE1/4, Section 20, T21S, R61E, M.D.M., Clark County, Nevada  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1st to December 31st of each year.  
Month and Day Month and Day
10. Use was permitted from January 1st to December 31st of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, pump, motor and distribution system throughout the place of use.  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$50,000 (excluding distribution system)
13. Estimated time required to construct works 6 months

1.5 years

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Annual consumptive use will be 5.5 million gallons.

s/ Lonnie C. Roy  
 By ~~Lonnie C. Roy, P.E.~~  
 2915 West Charleston Blvd., Suite 12  
 Las Vegas, NV 89102

Compared jp/cmm cl/nsr

Protested.....

APPROVAL  
 OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 60156 is issued subject to the terms and conditions imposed in said Permit 60156 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.10 cubic feet per second, but not to exceed 5.5 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before May 26, 1997

Proof of completion of work shall be filed before June 26, 1997

Application of water to beneficial use shall be made on or before May 26, 2000

Proof of the application of water to beneficial use shall be filed on or before June 26, 2000

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed SEP 05 1997

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. .... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 24th day of May,

A.D. 19 96

*R. Michael Turnipseed, P.E.*  
 State Engineer

CANCELLED FEB 05 2002 BECAUSE OF FAILURE  
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

*Lonnie C. Roy, P.E.*

*R*  
 STATE ENGINEER

(PERMIT TERMS CONTINUED)

The wells drilled under Permits 60156 and 16819 (Certificate 4785) shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within 60 days from the issuance of this permit.